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Attorneys for Plaintiff
ANZELLA JONES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | | |
|-----------------------------|---|----------------------------------|
| ANZELLA JONES, |) | Case No. C08-00458 CW |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND [PROPOSED] ORDER |
| vs. |) | GRANTING ADDITIONAL TIME TO |
| |) | COMPLETE ADR |
| ALLSTATE INSURANCE COMPANY, |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

Plaintiff Anzella Jones and defendant Allstate Insurance Company stipulate, through their respective counsel, as follows:

1. On April 9, 2008, the parties filed a stipulation indicating their agreement to participate in early neutral evaluation.

2. The Court ordered that the early neutral evaluation be completed by July 14, 2008.

3. On June 4, 2008, Thomas HR Denver was assigned as the parties' neutral evaluator for this matter.

4. Subsequently, the parties agreed to participate in private mediation in an attempt to resolve this matter.

5. On July 1, 2008, the Court signed a stipulated order allowing the parties to pursue private mediation in lieu of an ENE.

1 6. A private mediation was scheduled before Brad A. Bening of Willoughby, Stuart &
2 Bening, for Tuesday, August 5, 2008, at 10:00 a.m. This was the first date that all parties, counsel
3 and the mediator were available.

4 7. In preparing for the mediation, counsel for Plaintiff concluded that certain issues
5 required further evaluation, such that the deposition of the handling adjuster was scheduled for
6 August 1, 2008. However, outstanding issues also need to be resolved regarding certain document
7 requests, germane to the adjuster's deposition.

8 8. The parties have therefore stipulated and agreed that the mediation be continued for
9 approximately 60 days, in order that these issues can be resolved, and the mediation given its best
10 chance of success. They have rescheduled the mediation with Mr. Bening for Wednesday, October
11 8, 2008.

12 9. Trial in this matter is currently set for August 10, 2009, and there is ample time to
13 conduct discovery and prepare this matter for trial in an orderly fashion, should the rescheduled
14 mediation prove unsuccessful.

15 10. Accordingly, the parties agree and respectfully request that the deadline for
16 completion of ADR be extended until October 8, 2008, and that the mediation serve to satisfy the
17 parties' ADR obligations.

18 FILER'S ATTESTATION:

19 Pursuant to General Order No. 45, section X(B) regarding signatures, I attest under penalty of
20 perjury that the concurrence in the filing of this document has been obtained from its signatories.

21 DATED: August 5, 2008

22 BY: /S/ GARY S. ROSE

 GARY S. ROSE

23 DATED: August 5, 2008

24 FLYNN, ROSE & PERKINS

25 By: /S/ Gary S. Rose

26 GARY S. ROSE

27 Attorneys for Plaintiff

28 ANZELLA JONES

1 DATED: August 5, 2008

SONNENSCHN NATH & ROSENTHAL LLP

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3 By: /S/ Michelle Bradley
MICHELLE BRADLEY
4 Attorneys for Defendant
5 ALLSTATE INSURANCE COMPANY

6 ORDER

7 The parties having stipulated thereto and good cause appearing, IT IS HEREBY
8 ORDERED:

- 9 1. The deadline for completion of ADR is extended until October 8, 2008, and
10 3. The October 8, 2008 mediation will serve to satisfy the parties' ADR obligations.
11

12 DATED: _____

13 _____
Honorable Claudia Wilken
14 United State District Court Judge
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